

INVITATION FOR BIDS

The City of Frisco is soliciting **Competitive Sealed Proposals** for the construction of the following Project:

**Remediation of Existing Eldorado/BNSF Pump Station Deficiencies
Bid No. 0808-068**

Proposals must be delivered to City Hall; 6101 Frisco Square Blvd, 3rd Floor; Frisco, TX 75034 no later than 2:00 PM on September 9, 2008 to be accepted. The proposals will be publicly opened and read aloud at this time and place. Bids received after this time will be returned unopened. Address proposals to Elizabeth Metting, P.E., City Engineer, City of Frisco, Texas.

Contract Documents may be examined or purchased at the offices of Freese and Nichols, Inc., Consulting Engineers at the following address:

Freese and Nichols, Inc.
1701 N. Market St., #500, LB51
Dallas, Texas 75202-2001
Attention: Jane Jenks
214-217-2236

The cost for Contract Document is \$400 per set.

The cost of Contract Documents is not refunded. Submit check, cashier check or money order for payment. Cash will not be accepted.

Contract Documents are on file and may be examined without charge in the offices of the City Engineer, City of Frisco, 6101 Frisco Square Blvd, 3rd Floor, Frisco, Texas 75034. Contract Documents are also on file in the following Plan Rooms:

McGraw Hill Construction Dodge
9155 Sterling Street, Ste. 160
Irving, Texas 75063
P- 972-819-1400
F- 972-819-1409

North Texas Construction Reports
2828 Trinity Mills Road #330
Carrollton, Texas 75006
P - 972-820-9020
F - 972-820-8910

A **mandatory** prebid conference for the project will be held on Tuesday, August 26, 2008 at 10:00 AM in the Public Works Training Room, 11300 Research Road, Frisco, Texas 75034. **Attendance at the conference is required to submit a bid.**

Direct questions regarding distribution of Contract Documents for this Project to the Freese and Nichols Dallas Office:

Freese and Nichols, Inc.
1701 N. Market St., #500, LB51
Dallas, Texas 75202-2001
Attn: Jane Jenks

Direct questions related to the design of the Project to Jason Ward (jvw@freese.com). Written questions may be submitted to the address shown above or you may phone (214) 544-6417.

This Project includes the rehabilitation of the Eldorado/BNSF Pump Station to a complete and operable condition in accordance with these Contract Documents.

This will include in general terms the following:

Testing, repair, and modification (as required) of two 10 MG Clearwell Tanks
Removal of the existing incomplete pump station and completion of the new pump station structure
Removal of existing pumps, testing and repair/replacement of pump cans, and reinstallation of existing refurbished pumps with modified bowl assemblies
Acceptance and installation of mechanical and electrical equipment previously stored with the City of Frisco, including one year warranty
Investigation and repair/replacement of existing yard piping, including installation of supplemental pier supports
Removal and replacement of appurtenant civil structures throughout the site that have failed due to excessive settlement

Bidders must submit a cashier's check, certified check, or acceptable bidder's bond with their proposal as a guarantee that the Bidder will enter into a contract for the project with the Owner within fifteen (15) days of Notice of Award of the contract. The security must be payable to the City of Frisco in the amount of five (5%) percent of the bid submitted. Contractor must execute the contract, bonds and certificates of insurance on the forms provided in the Contract Documents.

Contractors for this Project must pay no less than the prevailing wage rates for the area established by the Owner and included in the contract documents.

Performance and Payment Bonds and Maintenance Bonds are required.

The City of Frisco reserves the right to adopt the most advantageous interpretation of the bids submitted in the case of ambiguity or lack of clearness in stating proposal prices, to reject any or all bids, and/or waive formalities. Bids may not be withdrawn within sixty (60) days from date on which bids are opened.

END OF SECTION

00100 INSTRUCTIONS TO BIDDERS

1.00 GENERAL

1.01 DEFINED TERMS

Terms used in these Instructions to Bidders have the meanings assigned to them in the General Conditions.

1.02 QUALIFICATIONS OF BIDDERS

- A. The Bidder selection for this project will be by the use of **Competitive Sealed Proposals** conforming to Section 271.116 of the State of Texas Local Government Code. Submit documentation in accordance with Section 00100-1.11 to demonstrate that the Contractor is qualified by experience and capability to successfully construct the project within the Contract Time and for the Contract Amount. Include the following information on the questionnaire included at the end of this section (refer to paragraph 1.11):
1. Qualifications and experience of the Bidder, including key personnel to be assigned to the project.
 2. Qualifications and experience of Subcontractors.
 3. Qualifications of manufacturers proposed to furnish the principal items of material or equipment.
 4. Financial data consisting of audited financial statements for the last five years.
 5. Previous experience and present contracts.
 6. List of available equipment.
 7. Evidence of authority to conduct business in the jurisdiction where the project is located.
- B. Owner may conduct investigations as considered necessary to establish the responsibility, qualifications and financial ability of the Bidders, proposed Subcontractors and other persons and organizations to do the work in accordance with the Contract Documents, to Owner's satisfaction, and within the prescribed time. Owner may reject the Bid of any Bidder who does not meet any such evaluation to Owner's satisfaction.

1.03 EXAMINATION OF CONTRACT DOCUMENTS AND SITE

- A. Examine Contract Documents, make observations and investigations, correlate knowledge and observations with the requirements of the Contract Documents and consider these in preparation of a bid for the project.
1. Read the Contract Documents and related technical data and reports thoroughly. Use a complete set of Contract Documents in preparing Bids. Assume responsibility for errors or misinterpretations resulting from the use of partial or incomplete contract documents.
 2. Visit the site to become familiar with general, local and site conditions that may affect cost, progress or performance of the work in any manner.
 3. Become familiar with federal, state and local laws, ordinances, rules and regulations affecting cost, progress or performance of the work.
- B. Surveys and investigation reports of subsurface or latent physical conditions at the site, or conditions or situations affecting the design of the Project used by the Engineer in preparing the Contract Documents are referenced in the Supplementary Conditions.
1. These reports are available for information only and neither the Owner nor Engineer guarantees their accuracy or that any opinions expressed in the report are correct.
 2. Make additional surveys and investigations as necessary to determine the bid price for performance of the work in compliance with the terms of the Contract Documents before submitting a bid.
 3. Cost for these investigations is to be paid by the Bidders.

- C. Acknowledge sole responsibility for job site safety, including trench excavation and confined space entry safety, by the submission of a Bid for this project.
- D. A mandatory pre-bid conference for the project will be held on Tuesday, August 26, 2008 at 10:00 AM in the Public Works Training Room, 6101 Frisco Square Blvd., Frisco, Texas 75034.
- E. The submission of a Bid is incontrovertible representation by the Bidder that he has complied with every requirement of this Section.

1.04 INTERPRETATIONS

Submit all questions about the meaning or intent of the Contract Documents to the Engineer in writing. Replies are issued by Addenda to all parties recorded by the Engineer as having received the bidding documents. Only questions answered by formal written Addenda will be binding. Oral and other interpretations or clarifications shall be without legal effect. Questions received less than two days prior to the date for opening of Bids may not be answered.

1.05 BID SECURITY

- A. Submit a bid security in the amount of five (5%) percent of the amount of the maximum total bid as a guarantee that the Bidder shall promptly enter into a Contract and execute Performance and Payment Bonds on the forms included in the Contract Documents if awarded the contract.
- B. Acceptable Bid security are:
 - 1. Certified or cashier's check made payable to the Owner.
 - 2. An approved Bidder's Bond underwritten by a surety named in the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Department.
- C. Bid securities shall be returned to bidders when the contract award is made or bids are rejected.

1.06 CONTRACT TIME

The substantial completion date for this project depends on the viability of the pump cans currently in place. If the verticality of the pump cans meets specified requirements and they can be used as constructed, this project is to be substantially complete (ready for operation) within 365 consecutive calendar days from the date of the notice to proceed. If the verticality of the pump cans does not meet specified requirements and they cannot be used as constructed, this project is to be substantially complete (ready for operation) within 485 consecutive calendar days from the date of the notice to proceed. Final completion date shall be within 30 consecutive calendar days after whichever substantial completion date applies. Liquidated damages are set forth in the Supplementary Conditions.

1.07 BID FORM

- A. Submit bids on the Bid forms provided with the Contract Documents for each contract Bid. Include supplemental data to be furnished in the same sealed envelope with Proposal.
- B. Bid forms must be completed in ink. The Bid price of each item on the form must be stated in words and/or numerals. Words take precedence in case of a conflict.
- C. Execute bids by corporations in the corporate name by the president or a vice-president or other corporate officer accompanied by evidence of authority to sign. Affix the corporate seal and attest by the secretary or an assistant secretary. The corporate address and state of incorporation shall be shown below the signature.

- D. Execute bids by partnerships in the partnership name. Forms are to be signed by a partner. Print the name below the signature. Write the title of the Partner and show the official address of the partnership shown below the signature.
- E. Acknowledge receipt of all Addenda on the bid form by signing beside the Addenda number.

1.08 SUBMISSION OF BIDS

Submit bids at the time and place indicated in the Invitation for Bids. Submit bids in a sealed envelope, marked with the Project title and name and address of the Bidder. Include the bid security and other required documents in the envelope.

1.09 MODIFICATION AND WITHDRAWAL OF BIDS

Modify or withdraw bids by submitting an appropriate document executed in the manner that a Bid must be executed. Deliver the modification or withdrawal to the place where Bids are to be submitted at any time prior to the opening of Bids.

1.10 OPENING OF BIDS

- A. Bids shall be opened as indicated in the Invitation for Bids.
- B. All Bids shall remain open for the period of time set forth in the Invitation for Bids, but Owner may, in his sole discretion, release any Bid and return the Bid Security prior to that date.

1.11 CONTRACT AWARD PROCESS (**Competitive Sealed Proposals**)

- A. The Bidder selected for award of the contract will be the Bidder whose Proposal represents the best value to the Owner. The Owner is not bound to accept the lowest priced Proposal if that Proposal is not in the best interest of the Owner, as determined by the Owner.
- B. Proposals will be opened publicly to identify the names of the Bidders. Other contents of the Proposals will be afforded security sufficient to preclude disclosure of the contents prior to award. The questionnaire at the end of this section must be completely filled out and submitted with the bid.
- C. Within 30 days after the date of opening the Proposals, the Owner and Engineer will evaluate and rank each Proposal with respect to the selection criteria contained in this document. After opening and ranking, an award may be made on the basis of the Proposals initially submitted, without discussion, clarification or modification, or, the Owner and Engineer may discuss with the selected Bidder elements of the Bidder's Proposal. If the Owner determines that it is unable to reach a contract satisfactory to the Owner with the selected Bidder, then the Owner will terminate discussions with the selected Bidder and proceed to the next Bidder in order of selection ranking until a contract is reached or the Owner has rejected all Proposals.
- D. The Owner and Engineer will evaluate Proposals. The selection of the contractor will be based on the criteria described below. All procurements shall conform to Section 271.116 of the State of Texas Local Government Code. (Provide information on the questionnaire at the end of this section).
 - 1. Proposed Project Cost: The proposed project cost indicated in the Proposal. The Owner has established an internal budget for this project. The Owner intends to award the Base Bid and as many of the Bid Alternates as that existing budget will allow. Evaluation of this item will be based on the Base Bid plus the total number of Bid Alternates that the Owner can award with their available budget at the time of the Bid.
 - 2. Experience/Past Performance of Company: Describe experience in constructing similar municipal facilities. Note large portions of a project that includes repair/replacement of existing facilities including structures, pumps, and electrical work. Photographs, project descriptive narratives, letters of recommendation, project awards, and references may be used to demonstrate

experience in constructing a project which meets the Owner's expectations for a quality project constructed on time and within budget.

3. Experience and Qualifications of Staff. Provide information for personnel that will be actively working on this project. Include the percent of the person's time that will be dedicated to the project, and the time that will be spent on the project site. Include the general experience, and specific experience on similar projects of proposed key personnel.
4. Financial Stability - Submit recent financial statements, preferably audited, with this Proposal. Financial statements must show the name and address of the firm preparing financial statements and the date of preparation.
5. Claims Experience: The Proposal shall show records of claims incidences and litigation experiences over the past 5 years.
6. Ability to Meet Proposed Time for Construction – Indicate your firms ability to adhere to schedule. Indicate the number and dollar volume currently under contract and the projected completion date of each active project and how the resources dedicated to these assignments will impact your ability to effectively execute the construction of this project. Provide an estimate of the amount of the project that will be done using in-house resources and the amount to be performed by subcontractors.

E. Rating Criteria – The following criteria will be used in the evaluation of proposals:

Rating Category		Value-%
1	Proposed Cost	40
2	Experience/Past Performance of Company	10
3	Experience and Qualifications of Staff	15
4	Financial Stability	10
5	Claims Experience	10
6	Ability to Meet Proposed Time for Construction	15
Total		100%

- F. Proposal Format – Proposals must include the fully completed Bid Form (Section 00300) and Questionnaire provided in these documents. Proposals should be prepared simply and economically, providing a straightforward, concise description of the Bidder's ability to meet the requirements for the Proposal as set forth in the evaluation criteria described above. Emphasis should be on completeness and clarity of content. All references for projects and proposed personnel should include the name of a person to contact and their current telephone number and/or e-mail address.
- G. Acceptance of Evaluation Methodology - Submission of a Proposal indicates Bidder's acceptance of the evaluation technique and Bidder's recognition that some subjective judgments must be made by the Owner and Engineer during the evaluation.
- H. Owner may reject Bids, waive formalities, or disregard nonconforming, conditional Bids or counter proposals.

1.12 EXECUTION OF CONTRACT

- A. The successful Bidder must execute the formal Contract Agreement and required Bonds on the forms prepared and submitted by the Owner within fifteen (15) days after the Notice of Award.
- B. A Notice to Proceed authorizing the Contractor to commence work shall be issued after the Contract Documents have been executed.

1.13 WAGE RATES

Contractor must pay no less than the general prevailing rates for the Project location as determined in accordance with statutory requirements.

1.14 BONDS

Performance, Payment, and Maintenance Bonds are required for this project and shall be provided in accordance with the General Conditions.

1.15 SALES TAXES

The Owner qualifies as an exempt agency as defined by the statutes of the State of Texas. Owner's purchasing department shall issue exemption certificates. Comply with all statutes and rulings of the State Comptroller.

1.16 ALTERNATE BID ITEMS

A. The following are alternate bid items and may be added to or deleted from the contract by the Owner. The work includes furnishing all materials, tools, equipment, transportation, services and all labor and superintendence for the construction as indicated in the Contract Documents.

1. Bid Item No. Alt. A – Yard Piping Rehabilitation Alternate
2. Bid Item No. Alt. B – Remove and Replace Existing Pump Cans

1.17 OWNER-FURNISHED EQUIPMENT

The Owner has selected and taken delivery of the following major equipment items for this project:

<u>Item</u>	<u>Description/Location*</u>	<u>Supplier</u>	<u>Appendix</u>
1.	Clearwells and appurtenances /	Preload	X
2.	Pumps (6 Total) /	Johnson	X
3.	Pump Motors (6 Total) /	Johnson/Sulzer	X
4.	Pump Valves /	Bermad	X
5.	Sump Pumps /	Smith Pump Co.	X
6.	Emergency Generator/ATS /	Southern Plains	
7.	Building Structural Steel (salvaged) /	Tyson	X
8.	Hollow Metal Doors and Frames /		
9.	HVAC Equipment /	Garland Heating and Air	
10.	Overhead Crane /	Gaffey	X
11.	Fire Alarm Equipment /		X
12.	Lighting Equipment /		X
13.	Electrical Equipment (Panelboards, MCC) /		
14.	Instrumentation /		

*** To be issued by Addendum**

Locations:

- 1.
- 2.
- 3.

Products are described in the referenced appendix. In the case of a disagreement between the above list and those specified elsewhere in the Contract Documents, the Contractor is to base his bid on the most expensive listing.

These items are currently stored at the locations above. The Owner intends that delivery of this equipment to the project site be coordinated and provided for directly by the Contractor, in accordance with the provisions of these Contract Documents. The Contractor agrees to assume responsibility for furnishing and installing this equipment in accordance with all contract requirements, as if the Contractor had selected it himself.

END OF SECTION